GOVERNMENT OF INDIA
URBAN DEVELOPMENT AND POVERTY ALLEVATION
LOK SABHA

UNSTARRED QUESTION NO:80
ANSWERED ON:20.02.2001
CONSTRUCTION IN URBAN VILLAGES
PRABHUNATH SINGH

Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVATION be pleased to state:

to the answer given to Unstarred Question No. 451 dated November 21, 2000 and state:

(a) whether the information has since been collected;

(b) if so, the details thereof and the action taken in the matter; and

(c) if not, the time by which it is likely to be collected?

Answer

MINISTER OF STATE FOR URBAN DEVELOPMENT & POVERTY ALLEVIATION
(SHRI BANDARU DATTATREYA)

(a): Yes, Sir.

(b): A copy of the reply in fulfilment of the Assurance is annexed. The concerned agencies have been asked to expedite the process of handing over of the villages to MCD.

(c): Not applicable.

ANNEXURES REFERRED TO IN REPLY TO LOK SABHA UNSTARRED QUESTION NO.80 DATED 20.02.2001.

ANNEXURE

VTH SESSION 2000 OF XIII LOK SABHA MINISTRY OF URBAN DEVELOPMENT & POVERTY ALLEVIATION

DATE OF FULFILMENT:16.2.2001

Q.NO. & NAME OF M.P.(s)	DATE	SUBJECT	PROMISE MADE	HOW FULFILLED	REASONS FOR DELAY
USQ NO. 451 dated 21.11.2000 being		CONSTRUCTION IN URBAN VILLAGES: Asking:- (a) whether sanction of MCD is essential for the construction in urban villages (villages which ceased to be rural under Section 507 of DMC Act 1957); (b) if so, the details of urbanised villages in Delhi, as on date; (c) whether any permission is also required from MCD for construction on house-sites distributed under 20 point programme by Panchayat Department in rural villages	(a)to(h): The information is collected will be laid on the Table of the Sabha.	(a)to(h): The information in the Appendix.	The information was awaited from Govt. of NCT of Delhi & MCD.

(now urban as per Section 507 of DMC Act 1957);

(d) if so, the details thereof;

(e) whether Delhi`s Panchayat Department has not handed over the charge of 20 villages declared urban in the year 1994 under Section 507 of DMC Act 1957;

(f) if so, the reasons therefor;

(g) whether illegal construc-tions are going on unabatedly in connivance with MCD/DDA/ Panchayat Department officials in these villages; and

(h) if so, the steps taken by DDA to take over the charge of these villages declared urban in 1994?

APPENDIX

CONSTRUCTION IN URBAN VILLAGES

(a) Yes, Sir.

(b) The total number of such urban villages in 135 as per list in the Annexure-I.

(c)&(d): Yes, Sir. The building activities are regulated under the Byelaws/Zonal Development Plan/Master Plan for Delhi-2001.

(e)&(f): The Govt. of National Capital Territory of Delhi & Delhi Development Authority have been asked to expedite the handing/taking over of the charge of the villages notified as urbanized in 1994.

(g): Detection of illegal and unauthorised construction and action against them is a continuous and ongoing process under the relevant provisions of the Delhi Municipal Corporation Act and Delhi Development Act. The Ministry has also been, from time to time, issuing instructions drawing the attention of the concerned agencies to the need to take effective action in this regard. This has been reiterated by issuing comprehensive instructions on 28.8.2000 with the aim of ensuring effective and systematic action against all types of unauthorised/illegal constructions in Delhi. A copy of these instructions is enclosed as Annexure-II.

(h): As stated in reply to (e) & (f) above.

ANNEXURE-I

LIST OF 135 VILLAGES LOCATED IN THE URBANISABLE LIMITS OF MASTER PLAN 1981 AND DECLARED AS URBAN BY NOTIFICATIONS:

1. ASALTPUR	36. MANGOLPUR KHURD	71. GHONDA NEEMKA
2. AZADPUR	37. MANDAWALI FAZALPUR	72. GHONDLI
3. BASANT GAON	38. MASHGARH	73. HAUS RANI
4. BASAI DARAPUR	39. MASJID MOTH	74. JASOLA
5. BEGUMPUR	40. MAUZPUR	75. JIA SARAI
6. BAR SARAI	41. MEHRAULI	76. KAITWARA
7 BHAROLA	42. MUNIRKA	77. KESHOPUR
8. BHUDELA	43. NANGAL RAYA	78. KHAMPUR RAYA
9. DHIRPUR	44. NANGLEE JALEB	79. KHAMPUR (PART)
10. GARHI JHARIA MARIA	45. NANGLOI SAYED	80. KHARARA
11. GARHI PEERAN	46. NARAINA	81. KOTLA
12. GAZIPUR	47. OKHLA	82. MADANGIR
13. GHONDA	48. PEEPAL THALA	83. MANDANPUR KHADAR
14. HAIDERPUR	49. PITAMPURA	84. MALIKPUR CHHAWANI
15. HARI NAGAR ASHRAM	50. POSANGIPUR	85. MANDOLI KACHI
16. HASANPUR	51. RAMPURA	86. MANGOLPUR KALAN
17. HAUZ KHAS	52. SAHIPUR	87. MAHIPAL PUR
18. HUMAUNPUR	53. SARAI JHULIANA	88. MOHAMMADPUR
19. JHILMIL TAHIRPUR	54. SHAHPUR JAT	89. NAHARPUR
20. JAJA BAI	55. SHAKARPUR KHAS	90. NANGLI RAZAPUR
21. JAWALA HERI	56. SHAKURPUR	91. RAJPUR CHHAWANI
22. KACHHIPUR	57. SHALIMAR	92. RITHALA
23. KALU SARAI	58. SHEIKH SARAI	93. SABOLI
24. KARKAR DUMAN	59. TAMUR NAGAR	94. SANDORA KALAN
25. KATWARIA SARAI	60. TATARPUR	95. SAMAHPUR
26. KHAYALA	61. TEHKHAND	96. SARAI KALE KHAN
27. KHIRKI	62. WAZIR NAGAR	97. SARAI SHAHJI
28. KHIZRABAD	63. ADCHINI	98. SHADIPUR
29. KHUREJI KHAS	64. ARKPUR BAGH MOCHI	99. SEELAMPUR
30. KILOKRI	65. SADARPUR	100. TIHAR
31. KISHANGARH	66. BADLI	101. TUGHLAKABAD
32. KOTLA MUBARKPUR	67. BEHLOLPUR	102. SHAHDARA
33. LADO SARAI	68. CHOWKHANDI	103. USMANPUR
34. MADIPUR	69. CHIRAG DELHI	104. WAZIRABAD
35. MAKSOODPUR	70. DHAKA	105. YUSUF SARAI

106. ZAMROODHPUR		
107. SADHORA KHURD		
108. CHAUKRI MUBARKABAD	121. BAGDOLA	
109. NEEMRI	122. SAHUPURA	
110. SALIMPUR MAJORA	123. MATIALA	
HADIPUR	124. BINDAPUR	
111. NAJAFGARH	125. KAKROLA	
112. MASUDABAD	126. LOHARHAR	
113. HAIBATPUR	127. TOGANPUR	
114. LADHA SARAI	128. AMBERHAI	
115. KHICHRIPUR	129. SAAHBAD MOHAMMADPUR	
116. PALAM	130. BHARTHAL	
117. MIRZAPUR	131. NAWADA	
118. DABRI	132. POCHANPUR	
119. NASIRPUR	133. BEMSOLI	
120. SAGARPUR	134. DHULSIRAS	
135. BIJWASAN		

ANNEXURE-II

NO. J-13036/3/96-DDIIB
GOVERNMENT OF INDIA
MINISTRY OF URBAN DEVELOPMENT & POVERTY ALLEVIATION

NIRMAN BHAWAN, NEW DELHI
DATED: 28.08.2000

To

1. Shri P.S. Bhatnagar,
Chief Secretary,
Government of National Capital Territory of Delhi,
Delhi

2. Shri P.K. Ghosh,
Vice-chairman,
Delhi Development Authority,
Vikas Sadan, INA, New Delhi

3. Shri S.P. Aggarwal,
Commissioner,
Municipal Corporation of Delhi,
Town Hall, Delhi

4. Shri B.P. Misra,
Chairperson,
New Delhi Municipal Committee,
Palika Kendra, New Delhi.

5. The Development Commissioner,
Government of National Capital Territory of Delhi,
Twon Hall, New Delhi.

Subject: Unauthorised Encroachment and Illegal Constructions in Delhi.

Sir.

I an directed to say that the menace of illegal encroachment/unauthorised construction in Delhi has been considered by the Government of India at its highest level and it has been decided to eliminate this menace with a firm hand. You are therefore, requested to take strong and prompt action against all illegal constructions/unauthorised encroachments and also against misuses of land in violation of the provisions of the Master Plan of Delhi. The following measures are particularly required to be enforced strictly:

(i) All illegal constructions should be demolished, not cosmetically but in to-to.

(ii) The cost of demolition should be recovered from the illegal builders within 15 days of demolition. In case of non-payment within 15 days, the amount due should be recovered as arrears of land revenue.

(iii) In all cases of illegal constructions, prosecution should invariably be launched against builders under the Delhi Municipal Corporation Act, Delhi Development Authority Act, New Delhi Municipal Council Act, etc. and the cases followed vigorously with the police authorities/courts.

(iv) Wherever the property is on lease, action should be taken under the terms and conditions of lease agreement and re-entry effected within the shortest permissible period under such lease agreement. After re-entry, physical possession of the property should be taken by invoking the provisions of Public Premises Eviction Act and damages collected immediately. The rates of damages/misuse charges should be the same as per the formula followed by the L&DO and approved by the Ministry of Urban Development.

(v) In case of DDA flats, where constructions have come up beyond the condonable limits, cancellation of allotment should be carried out in addition to the demolition of the additional construction. Orders in respect of condonable and non-condonable items are being issued separately.

(vi) In cases, whereafter demolition, reconstruction is done, personal responsibility of the officer incharge should be fixed and departmental action taken against him.

(vii) In cases where illegal construction have taken placed on rural - agricultural lands, action under the Provisions of the Delhi land Reforms Act, 1954, should also be taken and such lands should be taken over as per provisions of the Delhi Land Reforms Act. Action in this respect should be taken as soon as the plots are cut by the colonisers and construction done in the shape of boundary walls etc. In other words construction should be nipped in the bud. If it comes up, it should be demolished immediately. Action in this respect should also be taken by the concerned local agencies/DDA as per the bye-laws pertaining to lay out/service plans, etc.

(viii) In all cases where party obtains stay/status quo orders, prompt action to get the stay order vacated should be taken and higher court moved, wherever necessary.

(ix) All Senior Field Officers should be asked to carry out physical inspection of the area under their charge and the Supervising Officer should also make surprise checks to ensure that the subordinate staff takes immediate action to check/demolish unauthorised construction. Deterrent action should also be taken against the subordinate staff such as Building Inspectors, Junior Engineers, Assistant Engineers, etc. who do not take prompt action.

(x) Field officers should be asked to maintain field diaries and submit them to the Supervisory Officer regulary.

2. It is also requested that a monthly report should be sent to the Ministry of Urban Development by the 5th of each succeeding month.

3. In this connection, it may be noted that both the Parliament and the Parliament Consultative Committee have expressed deep concern, through questions and interpolations, over the rising menace of unauthorised constructions in Delhi and the suspected connivance of the staff of the different authorities in the matter. A Flying Squad has been constituted in the Ministry and if, as a result of findings of this Squad, it is found that subordinate staff has not done its duty or not carried out the aforesaid instructions, strict action against the Subordinate/Supervisory Staff would be taken by the Government.

Yours faithfully,
Sd/-

(DR. NIVEDITA P. HARAN)
JOINT SECRETARY TO THE GOVT. OF INDIA
TEL: 301 8255

Copy for information and necessary action to:-

1. Deputy C.V.O. Ministry of UD&PA, Nirman Bhawan, New Delhi

2. L&DO, Ministry of UD&PA, Nirman Bhawan, New Delhi

3. DG (W), CPWD,Nirman Bhawan, New Delhi

Sd/-

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